

## THE CONSTITUTIONAL OPTION TO REFORM THE SENATE

The United States Senate is broken. Business as usual in the Senate too often means backroom deals and partisan gridlock rather than open, honest debate. The result is an institution that is unable to address the many challenges our country faces. Senators were sent to Washington to vote “yes” or “no” on bills, not to block them from ever coming up for debate.

The Constitution provides a clear way to fix Congress when it isn’t working. Article I, section 5 of the Constitution states that “each House may determine the Rules of its Proceedings.” The Senate must act on this duty and review its rules at the start of the next Congress.

**At the start of the 112th Congress, Senator Tom Udall will make a motion on the floor of the Senate to take up and adopt its rules by a simple majority vote.**

### RESTORING REAL DEBATE

There are more than 400 bills passed by the House that are waiting for Senate action. With secret holds on judges and administration officials, 50 courts have issued judicial emergencies and important government posts sit vacant.

Blocking a vote with a filibuster used to be rare and reserved for extreme situations. Today every major bill faces one. There have been more filibusters since 2006 than the total between 1920 and 1980.

Senate rules are supposed to allow for substantive debate and to protect the views of the minority – as our founders intended. Instead, they are abused to prevent the Senate from ever voting on critical legislation. The Senate must adopt rules that allow the institution to work for the middle class.

### IMPROVING ACCOUNTABILITY

Too much of the Senate’s business is decided in backroom deals, behind closed doors. A single senator can anonymously put the brakes on a bill or nominee to score political points.

The Senate should reform its rules so that senators are held accountable to them, and so that the public can judge their elected officials by the ideas they bring to the table, not on their ability to manipulate the Rules.

Adopting the rules by a simple majority at the beginning of each Congress is a warning against extreme obstruction because senators know that abused rules can be changed.

### RETURNING POWER TO THE AMERICAN PEOPLE

Obstruction in the Senate is a symptom of an institution that is too easily manipulated by special interests. Well-connected lobbyists can persuade a single senator to halt progress on a bill or nominee with a secret hold.

Reforming the Senate isn’t a power grab for one party or another. It gives power back to the American people by bringing senators out of the backrooms to do their jobs.

The Constitutional Option is bipartisan, and has been championed by Republicans as well as Democrats:

Sen. Cornyn (R-Texas) in 2003: “...*One Senate cannot enact a rule that a subsequent Senate could not amend by majority vote.*”

Sen. Hatch (R-Utah) in 2005: “...*A simple majority can change Senate rules at the beginning of a new Congress.*”